

WTWG Meeting Minutes for December 3, 2009 at 1:30 PM at the Yakima Field Office Conference Room

Attendees: David Blanchard, Guy Boman (AG Office, on phone), Dave Brown, Kelsey Collins, Stuart Crane, Melissa Downes, Bill Ferry, Tim Flynn, Debi Freudenthal, Randall Giles (DOT), Ken Hasbrouck, Carron Helberg, Stan Isley, Paul LaRiviere, Walt Larrick, Chris Lynch, Larry Matson (DOT, on phone), Tom McDonald, Lisa Pelly, Scott Revell, Tom Ring, Mark Schuppe, Jeff Schuster (on phone), Jeff Slothower, and Ron Van Gundy, Kurt Walker, Sara Watkins, Brian White (DOT).

Walt Larrick brought the meeting to order and started with the request for approval of the previous meeting minutes. The group had no corrections and approved the previous meeting minutes.

**2010-04.** Randy Giles started with the first proposal for Washington State Department of Transportation (WSDOT) I-90 Road Widening Project. He explained this is a temporary permit; the trust application is for 10 years and may be extended. He explained the stipulations on withdrawal of the water. The second temporary permit is so the seller of the water right can retain a riparian buffer for the first 3 years. The land in Ellensburg will be fallowed and is TWSA neutral. In most years, the contractor will not use the entire amount. They will have it metered and measured to ensure the amount of the water right is not exceeded. He feels the estimates are conservative. In October, they expect to get use of the storage contract. This should not affect flows since it is in Keechelus Lake, as the diversion is above the dam. There will be more than one contractor pumping at a time so they will split the amount to make sure the total is not exceeded. Walt asked if there are any questions or concerns from anyone in the group and is it in the box. After a brief discussion, the group gave a thumbs-up recommendation. Randy thanked the group and Stan thanked WSDOT for a great job and doing their homework.

**2010-05 thru 2010-07.** Lisa Pelly started with these three proposals together explaining the project. She explained the Northland Resources organization and how they have helped Kittitas Valley to establish a water bank and resolve some issues. TWSA will not be impaired and they have been talking with Ecology about mitigation. The project has changed since this group last reviewed this due to the work they have been doing with Ecology. One of the water rights is owned by Northland and the other two are on contract.

Dave Blanchard from Sapphire Skies started by explaining that Northland owns about 1800 ac, with 1300 lots. He explained the maps with some of the acres to go to the City of Cle Elum. All the projects are within 5 miles of downtown Cle Elum, and the lot sizes in town are small, or they are 1 acre or less. Tim Flynn explained the evaluation of extent and validity; it is designed to be water budget neutral. The place of the water right will not cause impairment or impact the Easton reach. He explained the three proposals for Pasco, Newton, and Henshaw. He talked about the monthly CU calculations, the season of use on each and the use of newer methodology. Jeff Slothower said he represents the

Henshaw's, and they do not agree with Ecology's numbers, and that the numbers are in flux. Tim said as the bank is set up, the numbers will be set at that time. Newton is off the Younger ditch (same as Henshaw), the methodology is very specific, and the CU is almost 74 ac ft per year. Because of its original position on the Teanaway prior to its transfer to the Yakima River via the Younger Ditch, the condition that this right is subject to its original availability from the Teanaway River carries forward on to this water right with no impact on senior water right. He explained when curtailment would come into effect and they would use the full quantity prior to July 29<sup>th</sup>, (CU 74). Jeff Slothower asked for clarification on Pasco. Tim then continued with return flow and the building of two storage reservoir locations. Tom McDonald talked about how it would be divided between the reaches. Bill Ferry talked about storage, real time mitigation, water banking, and working with Ecology. He asked why are you seeking mitigating (water banks) rather than direct transfers. Tim & Tom explained why they are doing this (moratorium on ground water), Tom explained the water bank process, with Bill feeling it is cumbersome to monitor. Jeff Slothower asked about the priority right, Dave B said that they were encouraged to go this way, and that they are the example for the future, and explained how it evolved. Bill, Mark, and Jeff Slothower talked about water banking and the dual water right. Tim Flynn talked about seasonal versus year round use with the use of the water bank. He wants to minimize the impacts with consumptive use credits and how that can be done. He talked about the timing is a little different and looked at the storage control date of June 24 in a water short year. Ron asked will the new water right use up the amount of the water right. Tom feels they are in the box month to month, but annually there is some flexibility. Feels that a date can be set as the worse case scenario so the proratables will not be impacted and show the credits in the "water bank" with a set date, even though the storage control date floats every year. Tom is looking for certainty in term of mitigation credits. Bill said that Ron's question is important to him; the best way to look at it is to maintain Reclamation's flexibility. Mark, Tim, Chris, Tom and Jeff Slothower talked about how the date affects operations and it may affect carry-over storage. Dave B thought that being flexible would be simpler. The group continued discussing this proposal, concluding with saying that these really are water right transfers. The question was then asked whether it is a water right transfer versus a new mitigation permit, should both come before this group and the group stated they should both be presented to the group. Walt asked the group if they felt this proposal is in the box, recognizing that the number may go up. Tom Ring felt that when the numbers change it must come back to the group, then the group will take another look at it. The recommendation is a thumbs-up subject to re-review if the numbers change.

The group agreed on Monday, January 11, 2009 at 1:00 PM for the next WTWG meeting and if no new proposals, then it will be rescheduled for February.

The meeting was adjourned at 3:40 PM by Walt Larrick.